

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

ROBERT EARL RAIFORD
#074250943

VS.,

CIVIL ACTION NO. 2:16-cv-174-KS-MTP

COUNTY OF FORREST MISSISSIPPI, ET AL

ORDER

THIS CAUSE IS BEFORE THE COURT on Motion [133] filed by Robert Earl Raiford, the Movant herein. The motion is responded to [134] by Forrest County Mississippi, Sheriff Billy McGee and Greg Anderson, “Forrest County Defendants”. Raiford brings his Motion for Reconsideration [133] pursuant to F.R.C.P. 60(b). The Court has considered the Motion [133], Response [134] and Raiford’s Counter-Response [135] and finds that the Motion [133] should be DENIED for the following reasons.

Raiford’s original Complaint [1] is against Forrest County Defendants and is for a discreet event which was Raiford’s exposure to a used needle when he received his prescribed insulin. The Court litigated this event and the original Complaint, after winnowing down a large number of defendants, was found to be without merit, and was DISMISSED WITH PREJUDICE. In his Motion for Reconsideration [133] Raiford requests that this Court find extraordinary circumstances pursuant to F.R.C.P. 60(b) and allow reconsideration. Additionally Raiford asks to amend the pleadings pursuant to F.R.C.P. 20. In his “Counter-Response” [135] Raiford asks for a change of venue and seeks to hold the Bureau of Prisons, the United States and the

Department of Justice liable for the discreet event originally sued for in the Complaint against the Forrest County Defendants.

This case was fully litigated and DISMISSED. Raiford has shown no extraordinary circumstances pursuant to F.R.C.P. 60(b)(6) which requires that extraordinary circumstances be present. See *Hess v. Cockrell*, 281 F.3d 212, 215(5th Cir, 2002). Raiford has not in any way attempted to connect his new allegations against the United States' actors and the Forrest County Defendants other than to say that the United States' actors selected the place where Raiford would be housed awaiting transportation to B.O.P. facility. Raiford has not been shown to suffer any adverse physical problems as a result of the exposure in the Forrest County facility and is not allowed to bring forth completely separate causes of action at this juncture in the proceeding, and Raiford has totally failed to establish any justification for reconsideration under Rule 60(b). For the above reasons the Court finds that the Motion [133] should be OVERRULED. Raiford has had his day in Court on the issues alleged in his original Complaint [1] and he needs to move on and cease filing baseless motions before this Court.

SO ORDERED this the 28th day of January, 2020.

s/Keith Starrett
UNITED STATES DISTRICT JUDGE